



# PUBLIC NOTICE

Federal Communications Commission  
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DA 07- 520

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## WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES IT IS PREPARED TO GRANT LOWER 700 MHz BAND LICENSES UPON FULL AND TIMELY PAYMENT

### AUCTION EVENT NO. 49

#### Report No. AUC-49 (Auction No. 49)

On June 13, 2003, the Federal Communications Commission completed the auction of 256 licenses in the Lower 700 MHz Band Auction (Auction No. 49).<sup>1</sup> After a preliminary review of the long-form applications (FCC Form 601), the applications were listed on public notice, dated September 10, 2003, as accepted for filing.<sup>2</sup>

By this Public Notice, the Wireless Telecommunications Bureau announces that it is prepared to grant the application for the licenses listed in Attachment A of this Public Notice, upon the full and timely payment of the remaining balance of the winning bids, to Westelcom Network, Inc. (Westelcom").<sup>3</sup> Such payment must be received by the Commission within ten (10) business days after the date of this Public Notice (*i.e.*, by **March 14, 2007**). *See* 47 C.F.R. § 1.2109(a). If the winning bidder listed in Attachment A fails to pay the balance of its winning bids in a lump sum by **March 14, 2007**, it may pay the remaining balance within ten (10) business days after the payment deadline (*i.e.*, by **March 28, 2007**), provided that it also pays a late fee equal to five percent of the amount due. *See* 47 C.F.R. § 1.2109(a).

If the winning bidder listed on Attachment A fails to pay the balance of its winning bids by the late payment deadline of **March 28, 2007**, it would be in default and subject to applicable default payments. *See* 47 C.F.R. § 1.2104(g). The applicant would be assessed default penalties as prescribed by sections 1.2104(g) and 1.2109(c) of the Commission's rules. *See* 47 C.F.R. §§ 1.2104(g), 1.2109(c).

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<sup>1</sup> *See* Lower 700 MHz Band Auction Closes: Winning Bidders Announced, *Public Notice*, 18 FCC Rcd 11873 (2003).

<sup>2</sup> *See* Wireless Telecommunications Bureau Announces that Applications for Lower 700 MHz Band Are Accepted for Filing, Auction Event No. 49, *Public Notice*, 18 FCC Rcd 18643 (2003).

<sup>3</sup> We note that the Mobility Division has denied Westelcom's petition seeking reconsideration of an earlier decision denying a waiver of section 1.2110(f)(3)(i) of the Commission's rules so that Westelcom could obtain tribal land bidding credits through providing service to a tribal land with a 100% wireline penetration rate. *See* Westelcom Network, Inc. Request for Waiver of Section 1.2110(f)(3)(i) of the Commission's Rules, *Order on Reconsideration*, DA 07-445 (rel. Jan. 31, 2007).

## Payment Instructions

All payments must be made in U.S. currency in the form of a wire transfer. *See* 47 C.F.R. § 1.2107(b). No personal checks, cashier's checks or other forms of payment will be accepted.

Wire transfer payments must be received by Mellon Bank no later than **6:00 p.m. Eastern Time, March 14, 2007 (or 6:00 p.m. Eastern Time, March 28, 2007, along with the five percent late fee)**. The Applicant should allow sufficient time for the wire transfer to be initiated and for the transmission to be completed prior to the deadline. To submit funds by wire, the applicant will need the following information to properly effect the transmittal:

ABA ROUTING NUMBER: 043000261  
RECEIVING BANK: Mellon Pittsburgh  
500 Ross Street  
Pittsburgh, PA 15262  
BNF: FCC Account Number 911-6106  
OBI Field: (Skip one space between each information item)  
PAYER FRN NO.: (same as FCC Form 159, Block 11)  
APPLICANT'S FRN NO.: (if different from payer, FCC Form 159, Block 21)  
PAYMENT TYPE CODE: (enter "A49D")  
PAYOR NAME: (same as FCC Form 159, Block 2)  
LOCKBOX NO.: 358850

Payments must be preceded by a completed FCC Remittance Advice Form (FCC Form 159). On the same business day that the applicant pays the balance due to Mellon Bank, the applicant must fax a completed FCC Form 159 to Mellon Bank at (412) 209-6045 at least one hour prior to placing the order for the wire transfer.

When completing FCC Form 159 (February 2003 Version), the applicant must type the auction number, "49," in Block(s) 28A and 28B ("FCC Code 1"). The applicant also must type the applicable license numbers in Blocks 29A and 29B ("FCC Code 2") of FCC Form 159. License numbers should be identified by typing "WZ" (radio service code), followed by the market designator (EAG or CMA), followed by the market number (000-734), and the frequency block (blocks C and D). An example of a correct license number would be "WZEAG001D" or "WZCMA078C." The radio service code, market designator, market number, and frequency block designations are listed in Attachment A. Form 159 provides sufficient boxes to list only two licenses.

## Further information

For questions regarding the calculation and submission of final payment, the FCC Form 159 and refunds, contact Gail Glasser, Office of the Managing Director, Financial Operations Center, Auctions Accounting Group, at (202) 418-0578.

For questions regarding legal matters and licensing issues, contact Erin A. McGrath, Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2042, or Michael Connelly, Wireless Telecommunications Bureau, Mobility Division, at (202) 418-0132.

The news media should contact Chelsea Fallon, Wireless Telecommunications Bureau, at (202) 418-7991.

This Public Notice contains the following Attachments:

Attachment A: Application the Wireless Telecommunications Bureau is Prepared to Grant.

Attachment B: Instructions for Searching for Applications Listed in Attachment A Using ULS.

Attachment C: Instructions for Accessing the FCC Network Using Windows 95/98/2000/XP.